

REMARKS

Claims 1-38 are pending in the above-referenced patent application. Applicants respectfully request further consideration of these claims, in view of the amendments set forth above and the following remarks.

Amended Claims

Claim 21 has been amended to delete an extra period at the end of the claim. Claim 3 and 4 have each been amended to correct antecedent basis issues.

No new matter has been added.

Provisional Obviousness-Type Double Patenting Rejections

Claims 1-38 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-36 of copending Application Serial No. 10/407,405. Applicants will consider submitting a terminal disclaimer to obviate the provisional rejection, if necessary.

Equivalents

The amendments to the claims and the arguments presented in response to the Office action have been made to claim subject matter which the Applicants regard as their invention. By such amendments, the Applicants in no way intend to surrender any range of equivalents beyond that which is needed to patentably distinguish the claimed invention as a whole over the prior art. Applicants expressly reserve patent coverage to all such equivalents that may fall in the range between applicants literal claim recitations and those combinations that would have been obvious in view of the prior art. In particular, as noted above, none of the claims have been narrowed within the meaning of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 62 USPQ2d 1705 (2002), and Applicants are therefore entitled to the full range of equivalents with respect to each of the presently-pending claims.

Information Disclosure Statement

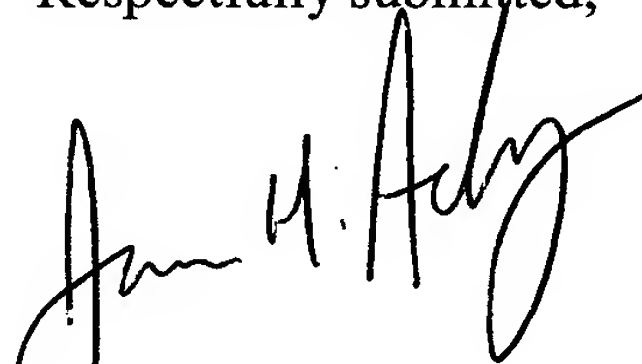
An Information Disclosure Statement is being filed on the date even herewith. Consideration of the pending claims is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Applicants believe that no further fees are required in connection with the instant amendment. If necessary, however, the Examiner is hereby authorized to charge any fees required in connection with this application to Deposit Account No. 50-0496.

Respectfully submitted,



James H. Ackley
Reg. No. 45,695

Date Submitted: 12/14/04

Symyx Technologies, Inc.
3100 Central Expressway
Santa Clara, CA 95051
(408) 720-2598